

**LAW ENFORCEMENT ACADEMY[501]**

**Adopted and Filed**

**Rule making related to certification and training**

The Law Enforcement Academy hereby amends Chapter 2, “Minimum Standards for Iowa Law Enforcement Officers,” Chapter 3, “Certification of Law Enforcement Officers,” Chapter 4, “Instructor Certification Criteria for the Training of Peace Officers, Reserve Officers, Jailers and Public Safety Telecommunicators,” Chapter 9, “Jailer Training,” and Chapter 10, “Reserve Peace Officers,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 80B.11, 80B.11A and 80B.11C.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, 2022 Iowa Acts, House File 803.

*Purpose and Summary*

The Academy has reviewed and updated its rules to reflect changes to curricula and procedures. The adopted amendments to Chapters 3, 4 and 9 reflect changes made to the basic academy and jail academy curricula. The adopted amendments to Chapters 2 and 10 related to physician assistants are mandated by 2022 Iowa Acts, House File 803.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 21, 2022, as **ARC 6545C**.

One public comment was received. The comment requested an amendment to Chapter 13, “Public Safety Telecommunicator Training Standards,” that would add a requirement to the public safety telecommunicator curriculum to include training in pre-arrival CPR instruction. Since no amendments to Chapter 13 were proposed in **ARC 6545C**, the request for the additional training was not acted upon in this rule making.

Two changes have been made from the Notice. The proposed amendment to subrule 4.2(1) that would have shortened the minimum experience requirement to become a certified instructor from three years to 18 months has not been adopted. In paragraphs 9.1(2)“b” and 9.2(2)“a,” a phrasing change has been made to clarify a technical term related to jailer training and in-service training for administrators and supervisors of holding facilities.

*Adoption of Rule Making*

This rule making was adopted by the Academy on November 10, 2022.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Academy Council for a waiver of the discretionary provisions, if any, pursuant to 501—Chapter 16.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

### *Effective Date*

This rule making will become effective on January 18, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 2.1(11) as follows:

**2.1(11)** Is examined by a licensed physician, physician assistant or surgeon and meets the physical requirements necessary to fulfill the responsibilities of a law enforcement officer.

ITEM 2. Amend rule 501—3.2(80B) as follows:

**501—3.2(80B) Law enforcement status forms furnished to academy.** Within ~~20~~ ten days of any of the following occurrences, the academy will be so advised by use of prescribed forms:

1. Any hiring of personnel.
2. Change of status of existing personnel (e.g., promotions).
3. Any termination of employment of a law enforcement officer or termination of appointment as a reserve peace officer. The notification must state whether the law enforcement officer or reserve peace officer was discharged or removed for serious misconduct or whether the officer left, voluntarily quit, or was laid off when disciplinary investigation or action was imminent or pending which could have resulted in the officer being discharged or removed for serious misconduct. Upon request by the council, the employing agency shall provide any additional information or documentation about the officer including confidential records or information under Iowa Code section 22.7 or other applicable law to the council.

ITEM 3. Amend subrule 3.4(1) as follows:

**3.4(1)** Have satisfactorily completed a two-year or four-year police science or criminal justice program ~~of which~~ that includes at least 20 credit hours ~~were~~ dedicated to police science or criminal justice coursework at an accredited educational institution and documentation furnished to the academy.

ITEM 4. Amend subrule 3.5(1) as follows:

**3.5(1) Program administration** . . . . . 24 hours

~~a. Duty assignments.~~

~~b. a.~~ Examinations.

~~c. b.~~ Family day.

~~d. c.~~ Graduation.

~~e. d.~~ Registration/orientation.

~~f. e.~~ Student advisor meeting.

ITEM 5. Amend subrule 4.1(1) as follows:

**4.1(1) Instructor designation.** All instructors of a council-approved training program, excluding agency in-service training, will be designated as either general or a subject matter expert (SME). General instructors will be peace officers, jailers, jail administrators or public safety telecommunicators

instructing in subjects relevant to their profession. Subject matter expert instructors will be those instructing subjects in the areas requiring a specialized academic degree, certification, licensure or experience. ~~Final~~ The final decision as to whether an instructor is in the general or SME area rests with the academy council or the academy director.

ITEM 6. Amend paragraph **9.1(1)“b”** as follows:

*b.* Approved 40-hour training program curriculums shall include the following topics:

- (1) No change.
- (2) Prison rape elimination act (PREA) (Title 42 U.S.C. 147) (recommended prerequisite).
- (3) Bloodborne pathogens (OSHA standard as set out in CFR Part 1910.1030(g)(2)) (recommended prerequisite).
- (4) to (7) No change.
- (8) ~~Medical screening at intake~~ Intake procedures (201—subrule 50.15(6)).
- (9) and (10) No change.
- (11) DNA submissions (recommended prerequisite).
- (12) No change.
- (13) Medication management (201—subrule 50.15(2)) (recommended prerequisite).
- (14) to (16) No change.

ITEM 7. Amend subrule 9.1(2) as follows:

**9.1(2) Annual jailer in-service curriculum.** During each fiscal year of employment following completion of the required basic training as set forth in subrule 9.1(1), jailers and the administrator of a jail shall complete 20 hours of in-service training, not to include proficiency in chemical agents or firearms qualification. All instructors shall be certified by academy personnel utilizing certification standards adopted by the academy.

*a.* The following is a list of annually (every year) required topics (10 hours minimum):

- |  |                            |
|--|----------------------------|
| <del>12 hours</del>  |                            |
| (1) Suicide prevention/mental illness (201—paragraph 50.15(6)“c”).   | <del>3 hours</del>         |
| <del>minimum</del>   |                            |
| (2) Prison rape elimination act (PREA) (Title 42 U.S.C. 147).  | <del>1 hour minimum</del>  |
| (3) Emergency evacuation plan (201—subrule 50.9(3)).   |                            |
| (4) Bloodborne pathogens (OSHA standard as set out in CFR Part 1910.1030(g)(2)).   | <del>1 hour minimum</del>  |
| (5) Legal: training topics in paragraphs “1” through “5” must include references to the Iowa Code, jail standards and relevant case law. | <del>2 hours</del>         |
| 1. Grievance and disciplinary procedures (201—subrule 50.21(4)).   |                            |
| 2. Constitutional rights of inmates (201—Chapter 50).  |                            |
| 3. Introduction to Iowa criminal law as applicable to a jail setting (201—Chapter 50).   |                            |
| 4. Affirmative duty to intervene/intercede.  |                            |
| 5. Use of force (Iowa Code sections 704.1, 704.2, 704.2A, 704.2B, 704.8).  |                            |
| (6) Cultural diversity including implicit bias (Iowa Code section 80B.11G).  | <del>2 hours minimum</del> |
| (7) Communication skills including de-escalation (Iowa Code section 80B.11G).  | <del>1 hour minimum</del>  |
| (8) Methods of restraining violent inmates.  | <del>1 hour minimum</del>  |
| (9) <del>Medical screening at intake</del> <u>Intake procedures</u> (201—subrule 50.15(6)).  |                            |
| <del>1 hour minimum</del>  |                            |
| <i>b.</i> Required biannually (every two years):   |                            |
| CPR/AED/airway obstruction— <del>adult</del> (adult).  | <del>4 hours</del>         |
| <i>c.</i> <del>Eight</del> <u>Ten</u> hours of additional training selected by the jail administrator or sheriff.                        |                            |

ITEM 8. Amend subrule 9.2(2) as follows:

**9.2(2) Annual holding facility in-service curriculum.**

a. Administrators and supervisors of holding facilities shall complete five hours of in-service training, not to include hours spent in maintaining required certification or proficiency in first aid, CPR/AED/airway obstruction—~~adult~~ (adult), chemical agents, or handling of firearms.

b. Required annually (every year):

(1) Suicide prevention (201—paragraph 50.15(6) “c”). ~~1—hour~~  
~~minimum~~

(2) Emergency evacuation plan (201—subrule 50.9(3)).

(3) Bloodborne pathogens (OSHA standard as set out in CFR Part 1910.1030(g)(2)). ~~1—hour~~  
~~minimum~~

(4) Prison rape elimination act (PREA) (Title 42 U.S.C. 147).

ITEM 9. Amend subrule 10.1(5) as follows:

**10.1(5)** Is of good moral character as determined by a thorough background investigation, including a fingerprint search conducted on local, state and national fingerprint files, and has not been convicted or adjudicated of any offense listed in ~~501—paragraph 2.1(5) “a.”~~ 501—subrule 2.1(5).

ITEM 10. Amend subrule 10.1(10) as follows:

**10.1(10)** Is examined by a licensed physician, physician assistant or surgeon and meets the physical requirements as defined by the law enforcement agency necessary to fulfill the responsibilities of the reserve peace officer position being filled.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/14/22.